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VICTIM
CLERK US DISTRICT COURT
DISTRICT OF ARIZONA

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

CR15- 850TUC

INDICTMENT

United States of America,
Plaintiff,

vs.

JOHN PETER VITALE,
Defendant.

Violations:

18 USC §§ 2252(a)(2) and (b)(1)
(Distribution of Child Pornography)
Counts 1 through 3

18 USC §§ 2252A(a)(5)(B) and (b)(2)
(Possession of Child Pornography)
Counts 4 and 5

18 USC §§ 2252(a)(2) and (b)(1)
(Receipt of Child Pornography)
Count 6

THE GRAND JURY CHARGES:

COUNT ONE

DISTRIBUTION OF CHILD PORNOGRAPHY

On or about June 3, 2013, in Tucson, in the District of Arizona, JOHN PETER VITALE, using any means or facility of interstate or foreign commerce, did knowingly distribute child pornography, that is, visual depictions, the production of which involved the use of minors engaging in sexually explicit conduct, as defined in Title 18, United

1 States Code, Section 2256(2), and which depicted such conduct, which had been shipped
2 and transported in interstate or foreign commerce by means of computer, or otherwise,
3 including, but not limited to, the following files:

4 “- a firsttimedick (1).JPG”
5 “0_90866800_1184709699.jpg” and
6 “11 yo screw.1.wmv”

7
8 All in violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1).

9
10 **COUNT TWO**

11 **DISTRIBUTION OF CHILD PORNOGRAPHY**

12 On or about August 12, 2013, in Tucson, in the District of Arizona, JOHN PETER
13 VITALE, using any means or facility of interstate or foreign commerce, did knowingly
14 distribute child pornography, that is, visual depictions, the production of which involved
15 the use of minors engaging in sexually explicit conduct, as defined in Title 18, United
16 States Code, Section 2256(2), and which depicted such conduct, which had been shipped
17 and transported in interstate or foreign commerce by means of computer, or otherwise,
18 including, but not limited to, the following files:

19
20
21 “!!!!3y+baby+penetrated-1.wmv”
22 “- a firsttimedick (1).JPG” and
23 “0_58282100_1184479809.jpg”

24 All in violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1).

COUNT THREE

DISTRIBUTION OF CHILD PORNOGRAPHY

On or about September 5, 2013, in Tucson, in the District of Arizona, JOHN PETER VITALE, using any means or facility of interstate or foreign commerce, did knowingly distribute child pornography, that is, visual depictions, the production of which involved the use of minors engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and which depicted such conduct, which had been shipped and transported in interstate or foreign commerce by means of computer, or otherwise, including, but not limited to, the following files:

“- a firsttimedick (1).JPG”
“(pthc-jho-Lolifuck) 9 yo blondie sucks man off (Sound) NEW 2008.wmv” and
“1b.jpg”

All in violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1).

COUNT FOUR

POSSESSION OF CHILD PORNOGRAPHY

On or about October 2, 2013, in Tucson, in the District of Arizona, JOHN PETER VITALE did knowingly possess child pornography, that is, visual depictions, the production of which involved the use of minors, including pre-pubescent minors, engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and which depicted such conduct, that had been mailed, shipped and transported in interstate and foreign commerce by any means, including computer, and which was

1 produced using materials which had been mailed and shipped and transported in interstate
 2 and foreign commerce; that is, JOHN PETER VITALE knowingly possessed on an HP
 3 ProBook 4530s laptop computer, (s/n: CNU2133N1D) images of child pornography,
 4 including, but not limited to, the following files:

5
 6 "(pthc frifam lolifuck) Julia 8yo sucks Dads cock (Sound) 2011.mpg
 7 ! new ! (pthc) 2007 tara 8yr - tara gets pissed on.avi
 8 ! best a+p fuck sampler.avi
 9 !new_Tí 2009 tara 15th-(uncensored at last!)(very selective trade.wmv
 10 5yo kait dad extasy.avi
 11 9 year old jenny full.avi
 12 baby8suck.avi
 13 babylover. Second suck - shes a natural (48s).mp4
 14 __boytied.mpeg

15 All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and
 16 (b)(2).

17 COUNT FIVE

18 **POSSESSION OF CHILD PORNOGRAPHY**

19 On or about October 2, 2013, in Tucson, in the District of Arizona, JOHN PETER
 20 VITALE did knowingly possess child pornography, that is, visual depictions, the
 21 production of which involved the use of minors, including pre-pubescent minors,
 22 engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section
 23 2256(2), and which depicted such conduct, that had been mailed, shipped and transported
 24 in interstate and foreign commerce by any means, including computer, and which was
 25 produced using materials which had been mailed and shipped and transported in interstate
 26 and foreign commerce; that is, JOHN PETER VITALE knowingly possessed on Gateway

1 computer tower, (s/n: XAB5151005606) images of child pornography, including, but not
2 limited to, the following files:

3 "IMG_0500.MOV
4 sd1 (07).jpg
5 98-1.jpg
6 [000928].wmv
7 4 years.avi

8 All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and
9 (b)(2).

10 **COUNT SIX**

11 **RECEIPT OF CHILD PORNOGRAPHY**

12 Between the dates of January 2, 2012 and August 24, 2012, in Tucson, in the
13 District of Arizona, JOHN PETER VITALE using any means or facility of interstate or
14 foreign commerce, did knowingly receive, child pornography, that is, visual depictions,
15 the production of which involved the use of a minor engaging in sexually explicit
16 conduct, as defined in Title 18, United States Code, Section 2256(2), which depicted pre-
17 pubescent minors and which depicted such conduct, that had been mailed, or otherwise
18 shipped or transported in or affecting interstate or foreign commerce, by any means
19 including by computer, including, but not limited to:
20

21
22 "rp (78).jpg"
23 "rp (81).jpg"
24 "sd1 (06).jpg"
25 "sd1 (07).jpg"
26 "sd1 (09).jpg" and
27 "an1.wmv"
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3 All in violation of Title 18, United States Code, Sections 2252(a)(2) and (b).
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5
6 A TRUE BILL

7 **/ s /**

8 _____
Presiding Juror
9

10 JOHN S. LEONARDO
11 United States Attorney
District of Arizona

MAY 06 2015

12 **/ s /**

13 Carin C. Duryee
14 Assistant U.S. Attorney

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16 PUBLIC DISCLOSURE
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